

KENTUCKY

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) For FY 2017-2020

AMENDMENT #2016.005

I. Proposed Action:

The Kentucky Transportation Cabinet (KYTC) hereby submits the attached resolution from the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) adopting the Transportation Improvement Program (TIP) for Fiscal Years 2018-2021. The KYTC requests inclusion of the TIP in the KYTC's FY 2017-2020 Statewide Transportation Improvement Program (STIP).

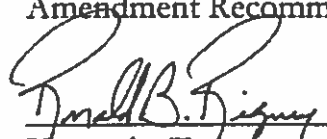
Location: Ohio-Kentucky-Indiana Metropolitan Area

II. Additional Remarks:

Attached is a copy of the Resolution, Self-Certification, Planning Finding, Conformity Determination, and Governor's Designee approval letter.


III. Amendment Approval:

Amendment Recommended for Approval:




Kentucky Transportation Cabinet Date
Ronald B. Rigney, Director
Division of Program Management

Approval of STIP Amendment:



Federal Highway Administration Date



Recommended by Date

KENTUCKY

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) For FY 2017-2020

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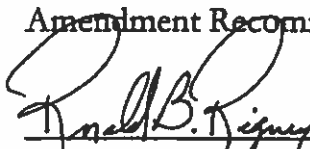
Location: Ohio-Kentucky-Indiana Metropolitan Area

II. Additional Remarks:

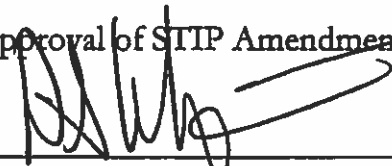
Attached is a copy of the Resolution, Self-Certification, Planning Finding, Conformity Determination, and Governor's Designee approval letter.

III. Amendment Approval:

Amendment Recommended for Approval:


Kentucky Transportation Cabinet Date 7/18/17
Ronald B. Rigney, Director
Division of Program Management

Approval of STIP Amendment


Federal Transit Administration Date 8/2/17
Yvette Taylor, PhD
Regional Administrator

RESOLUTION

**OF THE BOARD OF DIRECTORS OF THE
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**

**CONCERNING ADOPTION OF THE
FY 2018 – 2021 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND AMENDMENT TO
THE 2040 TRANSPORTATION PLAN AND THE DETERMINATION OF CONFORMITY OF THE TIP
AND 2040 TRANSPORTATION PLAN WITH AIR QUALITY REGULATIONS**

WHEREAS, the Ohio-Kentucky-Indiana Regional Council of Governments ("OKI") is designated as the Metropolitan Planning Organization ("MPO") by the Governors of Ohio, Kentucky and Indiana acting through the Ohio Department of Transportation, the Kentucky Transportation Cabinet and the Indiana Department of Transportation, and in cooperation with locally elected officials for the counties of Butler, Clermont, Hamilton and Warren in the State of Ohio; Boone, Campbell and Kenton in the Commonwealth of Kentucky; and Dearborn County in Indiana; and

WHEREAS, the MPO has, pursuant to 49 U.S.C. 5323 (k), 23 U.S.C. 135, and 23 CFR 450.220, developed the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program as a short-range element of the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan); and

WHEREAS, the ozone nonattainment area consists of the Kentucky counties of Boone, Campbell and Kenton; and a portion of Dearborn County, Indiana; the ozone maintenance area consists of the Ohio counties of Butler, Clinton, Clermont, Hamilton and Warren; and the PM2.5 nonattainment area consists of the Ohio counties of Butler, Clermont, Hamilton, Warren and a portion of Dearborn County, Indiana; and the PM2.5 maintenance area consists of the Kentucky counties of Boone, Campbell and Kenton and are subject to transportation conformity rules; and

WHEREAS, the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program includes several changes to the timing and scope of projects that are subject to transportation conformity requirements and these changes have not been previously analyzed as part of the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan), as amended, and, due to those changes, a new conformity determination is required based on a new regional emissions analysis, and OKI has engaged in interagency consultation with federal, state and local partners, including the U.S. Department of Transportation, and those partners have concurred with the methodology used by OKI to determine conformity; and

WHEREAS, the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan conform to all applicable U.S. Environmental Protection Agency (EPA) approved State Implementation Plans for air quality; and

WHEREAS, the environmental justice impacts of these amendments have been identified and addressed as appropriate per Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low Income Population; and

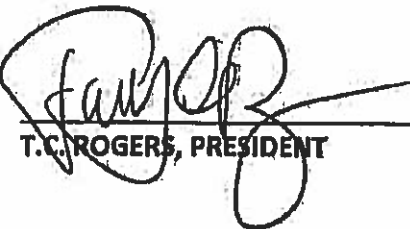
WHEREAS, the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan have met the requirements of OKI's Public Participation Process; and

WHEREAS, the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program and amended OKI 2040 Regional Transportation Plan demonstrate fiscal constraint; and

WHEREAS, the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program will become effective concurrent with US DOT approval of the Fiscal Years 2018 – 2021 State Transportation Improvement Programs for Ohio, Kentucky and Indiana: Now, therefore,

BE IT RESOLVED that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments at its regular public meeting of April 13, 2017, hereby adopts the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program as the short range element of the OKI 2040 Regional Transportation Plan and amends the OKI 2040 Regional Transportation Plan for the counties of Butler, Clermont, Hamilton and Warren in the State of Ohio; Boone, Campbell and Kenton in the Commonwealth of Kentucky; and Dearborn County in Indiana, and recommends that its members incorporate these improvements into their planning for transportation improvements in their governmental units;

BE IT FURTHER RESOLVED that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments hereby affirms the conformity between the OKI Fiscal Years 2018 – 2021 Transportation Improvement Program and the amended OKI 2040 Regional Transportation Plan and applicable EPA approved State Implementation Plans.


T.C. ROGERS, PRESIDENT

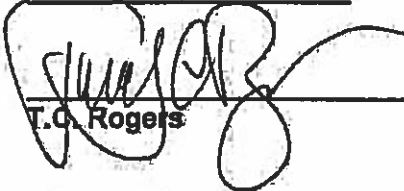
04/13/17
AJR

TRANSPORTATION PLANNING PROCESS CERTIFICATION

In accordance with 23 CFR 450.336, the Indiana Department of Transportation and the Ohio-Kentucky-Indiana Regional Council of Governments hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and 23 CFR part 450.300;
2. Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST ACT (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
6. 23 C.F.R. part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37 and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**Ohio-Kentucky-Indiana Regional
Council of Governments**



T.C. Rogers

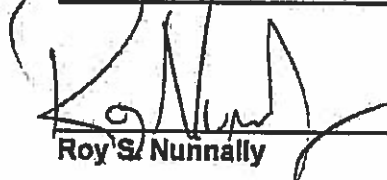
OKI President

Title

4/13/17

Date

Indiana Department of Transportation



Roy S. Nunnally

Director, INDOT

Technical Planning & Programming

Title

3/15/17

Date



U.S. Department
of Transportation

Federal Transit Administration
Region V
200 West Adams St., Suite 320
Chicago, IL 60606-5253
312-353-2788
312-888-0351 (fax)

Federal Highway Administration
OH Division
200 North High St., Room 328
Columbus, OH 43215

Jerry Wray
Director
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Director Wray:

This is in response to your letter dated May 1, 2017 regarding Ohio's 2018-2021 Statewide Transportation Improvement Program (STIP). This letter is the documented USDOT Planning Finding for Ohio's 2018-2021 STIP and provides approval of the 2018-2021 STIP.

In order to approve the STIP, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must make a determination that each metropolitan TIP incorporated into the STIP is based on a continuing, cooperative, and comprehensive (3-C) planning process and as necessary conforms to the applicable state implementation plan in accordance with the provisions of the Transportation Conformity Rule (40 CFR Parts 51 and 93). In addition, this Planning Finding is based upon the extent that all the projects in the STIP, directly incorporating the 17 MPO TIPs and 5 RTPO TIPs, are the result of planning processes in accordance with provisions in U.S.C. 23 and U.S.C. 49.

Based on our review of the information provided in the 2018-2021 STIP submittal and our ongoing oversight of statewide and metropolitan transportation planning processes, no areas of the planning process have been identified as failing to comply with federal law or regulation. Therefore, we approve the 2018-2021 STIP. This approval is effective July 1, 2017.

FHWA recognizes progress has been made in addressing the identified deficiencies from the 2016-2019 Planning Finding regarding Title VI and American with Disabilities Act (ADA). At this time, FHWA notes several items remain to be completed based on revised action plan timelines provided by the ODOT Division of Opportunity, Diversity and Inclusion (ODI). We expect outstanding action plan items to be completed by the next STIP approval.

If you have any questions, please contact Mr. Andy Johns of FHWA at (614) 680-6896 or Stewart McKenzie of FTA at (312) 353-2866.

Sincerely,



Marisol R. Simón
Regional Administrator
Federal Transit Administration

By messenger (ODOT)

 -6/27/2017

Laura S. Leffler
Division Administrator
Federal Highway Administration



U.S. Department
of Transportation

Federal Transit Administration
Region V
200 West Adams St., Suite 320
Chicago, IL 60608-5253
312-353-2789
312-888-0351 (fax)

Federal Highway Administration
OH Division
200 North High St., Room 328
Columbus, OH 43215

Jerry Wray
Director
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Dear Director Wray:

This is in response to ODOT's letter dated May 1, 2017 regarding a request for a USDOT conformity determination for the amended OKI 2040 Metropolitan Transportation Plan (MTP) and the 2018-2021 Transportation Improvement Program (TIP) update. We have completed our review of the conformity documentation for the MTP amendment and TIP update as adopted by OKI via Resolution 2107-13. The conformity documentation includes analyses to demonstrate conformity for the 8-hour ozone and PM_{2.5} standards for the Cincinnati-Hamilton, Ohio area.

Based on our review, in consultation with the United States Environmental Protection Agency and through cooperation with the Indiana and Kentucky Divisions of FHWA, we find the amended OKI 2040 MTP and the 2018-2021 TIP update conform to the applicable state implementation plan in accordance with the provisions of the EPA's Transportation Conformity Rule (40 CFR Parts 51 and 93).

The effective date of this determination is July 1, 2017.

If you have any questions, please contact Mr. Andy Johns, Planning Specialist, at andy.johns@dot.gov or 614-680-6896.

Sincerely,

Marisol R. Simón
Regional Administrator
Federal Transit Administration

Laura S. Leffler
Division Administrator
Federal Highway Administration

6/27/2017



Matthew G. Bevin
Governor

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Greg Thomas
Secretary


July 11, 2017

Mr. Mark R. Policinski
Executive Director
Ohio Kentucky Indiana Regional Council of Governments
720 East Pete Rose Way, Suite 420
Cincinnati, OH 45202

Dear Mr. Policinski:

It is my pleasure to approve the Cincinnati MPO's FY 2018-2021 Transportation Improvement Program (TIP) as Governor Matthew Bevin's designee. The Kentucky Transportation Cabinet will incorporate the TIP by reference in Kentucky's FY 2017-2020 Statewide Transportation Improvement Program (STIP).

Sincerely,



Greg Thomas
Secretary

GT/TMH/NH

c: John Moore
John Ballantyne
Robert Yeager
Sherry Curry
Ron Rigney



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